

**United States Bankruptcy Court  
District of Massachusetts (Boston)**

**CHAPTER 13 PLAN COVER SHEET**

Filing Date: December 10, 2015 Docket No.: (new case)

Debtor: Mario Jaramillo

Soc. Sec. No.: xxx-xx-0611

Address: 37 Oakland Ave., Attleboro, MA 02703

Debtor's Counsel

Robert S. Simonian, Esq.  
Bucacci And Simonian, P.C.  
155 North Main Street  
Fall River, MA 02720  
508-678-4000  
B.B.O. Number 631617

Attached to this cover sheet is the Chapter 13 Plan filed by the Debtor(s) in this case. This plan sets out the proposed treatment of the claims of creditors. The claims are set forth in the bankruptcy schedules filed by Debtor(s) with the Bankruptcy Court.

You will receive a separate notice from the Bankruptcy court of the scheduled Creditor's Meeting pursuant to 11 U.S.C. § 341. That notice will also establish the bar date for filing Proof of Claims.

Pursuant to the Massachusetts Local Bankruptcy Rules, you have until thirty (30) days after the section 341 Meeting or thirty (30) days after the service of an amended or modified plan to file an objection to confirmation of the Chapter 13 Plan, which objection must be served on the Debtor(s), Debtor's Counsel and the Chapter 13 Trustee.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS (BOSTON)**

**CHAPTER 13 PLAN**

**DEBTOR(S)**

Mario Jaramillo

**Docket Number New case**

SS# xxx-xx-0611

**I. PLAN PAYMENT AND TERM:**

Debtor(s) shall pay monthly to the Trustee the sum of **\$158.00** for the term of:

\_\_\_\_\_ 36 Months. 11 U.S.C. § 1325(b)(4)(A)(i);  
  X   60 Months. 11 U.S.C. § 1325(b)(4)(A)(ii);  
\_\_\_\_\_ 60 Months. 11 U.S.C. § 1322(d)(2). Debtor(s) aver the following cause:

**II. SECURED CLAIMS:**

**A. Claims to be paid through the plan (including arrears):**

<u>Creditor</u>	<u>Description of Claim</u> (pre-petition arrears, purchase money, etc.)	<u>Amount of Claim</u>
Freedom Road Financial	Motorcycle loan arrears	\$400.00
Mansfield Cooperative	Mortgage arrears	\$1,200.00
<b>Total of secured claims to be paid through the Plan:</b>		<b>\$1,600.00</b>

**B. Claims to be paid directly by debtor(s) to creditors (Not through Plan):**

<u>Creditor</u>	<u>Description of Claim</u>	<u>Amount of Claim</u>
Freedom Road Financial	Post petition motorcycle loan	\$10,692.00
Mansfield Cooperative	Post petition mortgage	\$169,359.00

**C. Modification of Secured Claims:**

<u>Creditor</u>	<u>Details of Modification</u> (Additional Details May Be Attached)	<u>Amount of Claim To Be Paid Through Plan</u>
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**D. Lease:**

- i.) The Debtor(s) intend(s) to reject the residential/personal property lease claims of: \_\_\_\_\_

- ii.) The Debtor(s) intend(s) to assume the residential/personal property lease claims of: \_\_\_\_\_
- iii.) The Arrears under the lease to be paid under the Plan are: \$ \_\_\_\_\_

### III. PRIORITY CLAIMS:

#### A. Domestic Support Obligations:

Creditor	Description of Claim	Amount of Claim
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#### B. Other Priority Claims:

IRS	Income taxes	\$3,500.00
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Total of Priority Claims to be Paid Through Plan:		\$3,500.00
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### IV. ADMINISTRATIVE CLAIMS:

A. Attorney Fees (to be paid through the Plan):	\$ 2,600.00
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#### B. Miscellaneous Fees:

Creditor	Description of Claim	Amount of Claim
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None

C. The Chapter 13 Trustee's fee is determined by Order of the United State Attorney General. The calculation of the Plan payment set forth utilizes a 10% Trustee's commission.

### V. UNSECURED CLAIMS:

The general unsecured creditors shall receive a dividend of 1% of their claims.

A. General unsecured claims:	\$ 68,000.00
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B. Undersecured claims arising after lien avoidance / cram down:

C. Non-Dischargeable Unsecured Claims:

Creditor	Description of Claim	Amount of Claim
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AFS/MEFA	Student loan	\$25,000.00
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<b>Total of Unsecured Claims: (A+B+C):</b>		<b>\$ 93,000.00</b>
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D. Multiply total by percentage: \$ 930.00  
(Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

E. Separately classified unsecured claims (co-borrower, etc.):

Creditor	Description of Claim	Amount of Claim
None		

Total amount of separately classified claims payable at \_\_\_% \$ 0.00

#### VI. OTHER PROVISIONS:

A. Liquidation of assets to be used to fund Plan: None

B. Miscellaneous Provisions: None

#### VII. CALCULATION OF PLAN PAYMENT:

a. Secured claims (Section I-A total):	\$ 1,600.00
b. Priority claims (Section II-A & B total):	\$ 3,400.00
c. Administrative claims (Section III-A & B total):	\$ 2,600.00
d. Regular unsecured claims (Section IV-D total):	\$ 930.00
e. Separately classified unsecured claims:	\$ 0.00
f. Total of a + b + c + d + e above:	= \$ 8,530.00
g. Divide (f) by .90 for a total including Trustee's Fee:	

**Cost of Plan = \$ 9,477.78**

(This represents to total amount to be paid into the Chapter 13 Plan).

h. Divide (g), Cost of Plan, by the Term of Plan, 60 months	\$157.96
i. <b>Round up to nearest dollar for Monthly Plan Payment:</b>	<b>\$158.00</b>

(Enter this amount on page 1)

Pursuant to 11 U.S.C. §1326(a)(1) unless the Court orders otherwise, debtor(s) shall commence making the payments proposed by a plan within thirty (30) days after the petition is filed. Pursuant to 11 U.S.C. §1326(a)(1)(C), the debtor(s) shall make pre-confirmation adequate protection payments directly to the secured creditor(s).

### VIII. LIQUIDATION ANALYSIS

#### A. Real Estate:

Address	Fair Market Value	Total Amount of Recorded Liens (Schedule D)
37 Oakland Avenue	231,000.00	\$169,359.00
Less Total Exemptions (Schedule C):		\$61,641.00
<b>Available Chapter 7:</b>		\$ 0.00

#### B. Automobile(s):

<u>(Describe year, make, model):</u>	<u>Value</u>	<u>Lien</u>	<u>Exemption</u>
2005 Dodge Ram	\$5,800.00	0.00	\$5,800.00
2013 Ducati motorcycle	\$12,500.00	\$10,692.00	\$1.00
Total Net Equity:			\$5,800.00
Less Total Exemptions (Schedule C):			\$5,801.00
<b>Available Chapter 7:</b>			\$ 0.00

#### C. All other Assets: (All remaining items on Schedule B: (Itemize as necessary))

Total Net Value:	\$ 14,680.00
Less Exemptions (Schedule C):	\$ 14,680.00
<b>Available Chapter 7:</b>	\$ 0.00

#### D. Summary of Liquidation Analysis (total amount available under Chapter 7):

Net Equity (A and B) plus Other Assets (C) less all claimed Exemptions: \$0.00

#### E. Additional Comments regarding Liquidation Analysis: None

IX. SIGNATURES

Pursuant to the Chapter 13 Rules, the debtor(s) or his/her attorney is required to serve a copy of the Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a Certificate of Service accordingly.

  
/s/Robert Simonian, Esq.

Robert S. Simonian, Esq.  
155 North Main Street  
Fall River, MA 02720  
508-678-4000  
B.B.O. Number 631817

Dated: December 8 2015

I/WE DECLARE UNDER THE PENALTIES OF PERJURY THAT THE  
FOREGOING REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE  
BEST OF OUR KNOWLEDGE AND BELIEF.

  
/s/ Mario Jaramillo

Mario Jaramillo

Dated: December 8 2015

**CERTIFICATE OF SERVICE**

I, Robert S. Simonian, Esq., Attorney for the Debtor(s), hereby certify, under the pains and penalties of perjury, that I did serve a copy of the foregoing Chapter 13 Plan upon the following parties by delivering same by first class mail, postage prepaid and / or via the Bankruptcy Court's Electronic Filing System.

**By Electronic Service:** Trustee Bankowski  
United States Bankruptcy Trustee

**By First Class Mail:**

See attached service list.

Dated: 12-10-15

/s/ Robert S. Simonian, Esq.  
Robert S. Simonian, Esq.  
Bucacci And Simonian, P.C.  
155 N. Main Street  
Fall River, MA 02720  
508-678-4000  
B.B.O. No.: 631817

Advanced Radiology  
525 Broad Street, Suite 202  
Cumberland, RI 02864-6919

AFS/MEFA  
501 Bleeker Street  
Utica, NY 13501

Capital One  
PO Box 71083  
Charlotte, NC 28272

Capital One - Bankruptcy  
6125 Lakeview Rd., # 800  
Charlotte, NC 28269

Chase  
PO Box 15657  
Wilmington, DE 19886

Chase  
PO Box 15298  
Wilmington, DE 19850

Comenity Bank  
4590 E. Broad St.  
Columbus, OH 43213

Department of Treasury  
Internal Revenue Service  
Andover, MA 05501

Freedom Road Financial  
PO Box 4597  
Hinsdale, IL 60522

Freedom Road Financial  
10605 Double R. Blvd., Suite 100  
Reno, NV 89521

Internal Revenue Service  
Centralized Insolvency Operation  
PO Box 7346  
Philadelphia, PA 19101

Internal Revenue Service  
Insolvency Groups - Stop 20800  
15 New Sudbury St.  
PO Box 9112  
Boston, MA 02203

Lowe's Synchrony Bank  
PO Box 530914  
Atlanta, GA 30353



Macy's  
PO Box 790039  
Saint Louis, MO 63179

Macy's Bankruptcy Dept.  
PO Box 8053  
Mason, OH 45040

Macys  
PO Box 78008  
Phoenix, AZ 85062-8008

Mansfield Cooperative  
80 North Main Street  
Mansfield, MA 02048

Massachusetts Dept. of Revenue  
Bankruptcy Unit  
PO Box 9564  
Boston, MA 02114

Plexus Anesthesia Services, MA  
690 Canton Street, Suite 325  
Westwood, MA 02090

Plexus Anesthesia SVS MA  
PO Box 418576  
Boston, MA 02241

Quest Diagnostic  
PO Box 4949  
Southeastern, PA 19398

Quest Diagnostics  
PO Box 740172  
Cincinnati, OH 45274-0172

Sturdy Memorial Hospital  
PO BOX 2963  
211 Park Street  
Attleboro, MA 02703

SYNCB/Discount Tire Direct  
PO Box 965036  
Orlando, FL 32896-5036

Synchrony Bank  
PO Box 960061  
Orlando, FL 32896-0061

Synchrony Bank/Lowes  
PO Box 36955  
Canton, OH 44735-6955

Synchrony Bankruptcy Dept.  
PO Box 965060  
Orlando, FL 32896

TD Bank  
PO Box 219  
Lewiston, ME 04243-7765

TD Bank  
PO Box 84037  
Columbus, GA 31908-4037

TD Bank North  
PO Box 16027  
Lewiston, ME 04243

Victoria's Secret  
PO BOX 659728  
San Antonio, TX 78265

Victoria's Secret  
PO Box 182789  
Columbus, OH 43218

Zales Outlet Credit Plan  
PO Box 790394  
Saint Louis, MO 63179